

## **To Counsel and Unrepresented Parties in Pending Business Court Actions:**

On [19 March 2020](#), the Honorable Cheri Beasley, Chief Justice of the Supreme Court of North Carolina, issued an Order determining and declaring “under N.C.G.S. § 7A-39(b)(1) that catastrophic conditions resulting from the public health threat posed by COVID-19 exist in all counties of this state.”

The Chief Justice’s Order further provides, in relevant part, as follows:

I order that all pleadings, motions, notices, and other documents and papers that were or are due to be filed in any county of this state on or after 16 March 2020 and before the close of business on 17 April 2020 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely filed if they are filed before the close of business on 17 April 2020.

I further order that all other acts that were or are due to be done in any county of this state on or after 16 March 2020 and before the close of business on 17 April 2020 in civil actions, criminal actions, estates, and special proceedings shall be deemed to be timely done if they are done before the close of business on 17 April 2020.

This order does not apply to documents and papers due to be filed or acts due to be done in the appellate courts.

**The Chief Justice’s Order applies to all actions now pending in the North Carolina Business Court. Therefore, consistent with the Chief Justice’s Order, this Court hereby orders as follows:**

- (i) All pleadings, motions, briefs, notices, and other documents and papers that were or are due to be filed in any action currently pending in the North Carolina Business Court on or after 16 March 2020 and before the close of business on 17 April 2020 shall be timely filed if they are filed before the close of business on 17 April 2020.
- (ii) All other acts, including discovery, mediation, motions, and other case activity, that were or are due to be done in any action currently pending in the North Carolina Business Court on or after 16 March 2020 and before the close of business on 17 April 2020 shall be deemed to be timely done if they are done before the close of business on 17 April 2020.
- (iii) Absent consent of the parties, case management deadlines entered in any action pending in the North Carolina Business Court falling between 16 March 2020 and 17 April 2020 shall be automatically

extended to the close of business on 17 April 2020, subject to modification to a later date by the assigned Business Court judge.

- (iv) Parties in any action currently pending in the North Carolina Business Court may, with the consent of the assigned Business Court judge, agree to an earlier deadline for filing any pleading, motion, notice, or other document or paper, or for taking any other act, that the Chief Justice's Order permits to be filed or taken by the close of business on 17 April 2020.
- (v) Any filings made prior to 17 April 2020 must be made electronically through the Court's electronic-filing system as provided in Business Court Rule 3. The time for filing material listed in Rule 5(d) of the North Carolina Rules of Civil Procedure with the Clerk of Superior Court in the county of venue is extended by the Chief Justice's Order through and including 24 April 2020.
- (vi) There shall be no in-person hearings prior to 17 April 2020 in any action currently pending in the North Carolina Business Court. The assigned Business Court judge may, with the consent of the parties, continue to convene hearings and conferences via videoconference or telephone.
- (vii) Each Business Court judge assigned to a pending action in the North Carolina Business Court shall take all appropriate action to avoid imposing prejudice on any party arising from the public health threat posed by COVID-19.
- (viii) This Order may be altered or modified in response to any additional orders or directives that the Chief Justice may issue under N.C.G.S. § 7A-39(b) or as circumstances may otherwise warrant.

**SO ORDERED**, this the 23rd day of March, 2020.

/s/ Louis A. Bledsoe, III  
Louis A. Bledsoe, III  
Chief Business Court Judge